



Department of Energy
Washington, DC 20585

NOV 02 1993

Mr. Davor Z. Pevec
Counsel to the Enewetak/Ujelang
Local Government Counsel
1001 Bishop Street
Pauahi Tower, Suite 2424
Honolulu, Hawaii 96813

Dear Mr. Pevec:

This is in response to your October 19, 1993, letter requesting the transportation of fuel during the forthcoming environmental monitoring mission to Enewetak, Marshall Islands. Unfortunately, we are unable to honor your request and wish to clarify our position to prevent further misunderstanding.

In our April 8, 1993, letter, in response to your previous request for fuel (see enclosure), we indicated that 9,150 gallons of fuel were delivered to the Enewetak field station to complete our fuel commitments. The reason why this previous shipment constituted the final delivery and completion of our commitments, warrants further explanation.

As you are aware, the Department of Energy (DOE) formally terminated active involvement in and support to the Enewetak resettlement and supplemental food program. This action also terminated an agreement between DOE and the Department of the Interior. Currently, there is no funding mechanism to account for and fund fuel expenditures for Enewetak.

DOE has an Interagency Support Agreement with the U.S. Space Defense Command (USAKA) at Kwajalein. This agreement does not provide for the transfer of fuels bought at a discounted Federal price to a non-Federal entity. The purchase and transportation of the fuel you request would transgress the spirit and intent of this agreement.

Notwithstanding the above, in an urgent emergency situation, we would consider a request to deliver fuel during scheduled program visits. However, the nature and reason for any such request would need to be furnished to our program representative and be commensurate with fuel or space availability after consideration of mission requirements.

We would like to emphasize that the loading, transportation, and unloading of flammable fuels engenders safety concerns. The provision to perform these activities safely is currently limited to diesel fuel only.

We trust that this information provides further insight into the reason why we are unable to honor your request.

Sincerely,



Harry J. Pettengill
Deputy Assistant Secretary
for Health

Enclosure

cc w/enclosure:
Ambassador David Fields, American
Embassy, Majuro
Peter Oliver, Republic of the
Marshall Islands (RMI)
Senator Ismael John, RMI
Mayor Neptali Peter, RMI
William Jackson, DOE Health
Physics Programs Division
Representative
Grace Plummer, DOE, Pacific
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Barbara Johnson, Raytheon
Services Nevada
Allen Stayman, Department
of the Interior